IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)	
Plaintiff,	8:07CR387	
vs.) DETENTION ORDER	
ALFONSO CHACON-CEVALLOS,		
Defendant.	}	
A. Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on November 28, 2007, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
conditions will reasonably assure the	n because it finds: ence that no condition or combination of eappearance of the defendant as required. eat no condition or combination of conditions	
distribute methamphetant carries a minimum sent maximum of life impris distribute methamphetant 841(a)(1) carries a minimum and a maximum of forty methamphetamine (Cour carries a minimum sent maximum of forty years intent to distribute methat U.S.C. § 841(a)(1) carrimprisonment and a max imprisonment and a max (b) The offense is a crime of (c) The offense involves a nation (d) The offense involves a late (2) The weight of the evidence again (a) General Factors: (a) General Factors: The defendant may affect wheth the defendant head for the defendant head f	e offense charged: by to distribute and possess with intent to hine (Count I) in violation of 21 U.S.C. § 846 tence of ten years imprisonment and a conment; the possession with intent to hine (Count II) in violation of 21 U.S.C. § hum sentence of five years imprisonment by years imprisonment; the distribution of hit III) in violation of 21 U.S.C. § 841(a)(1) tence of five years imprisonment and a imprisonment; and the possession with amphetamine (Count IV)in violation of 21 tries a minimum sentence of ten years imum of life imprisonment. The violence of the violence of ten years imum of life imprisonment. The violence of ten years imprisonment and a imprisonment in the defendant is high.	

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The defendant does not have any significant community ties.	
Past conduct of the defendant: resulting in an outstanding	
order of deportation The defendant has a history relating to drug abuse.	
The defendant has a history relating to alcohol abuse.	
The defendant has a significant prior criminal record. X The defendant has a prior record of failure to appear at	
X The defendant has a prior record of failure to appear at immigration proceedings.	
(b) At the time of the current arrest, the defendant was on:	
Probation	
Parole	
Release pending trial, sentence, appeal or completion of sentence.	
(c) Other Factors:	
X The defendant is an illegal alien and is subject to	
deportation.	
The defendant is a legal alien and will be subject to deportation if convicted.	
X The Bureau of Immigration and Custom Enforcement	
(BICE) has placed a detainer with the U.S. Marshal.	
Other:	
X (4) The nature and seriousness of the danger posed by the defendant's	
release are as follows: the nature of the charges in the Indictment and the	
defendant's failure to appear for immigration removal proceedings.	
V (5) Debuttable Programmtions	
 X (5) Rebuttable Presumptions In determining that the defendant should be detained, the Court also relied 	
on the following rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)	
which the Court finds the defendant has not rebutted:	
X (a) That no condition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that	
the crime involves:	
(1) A crime of violence; or	
X (2) An offense for which the maximum penalty is life	
imprisonment or death; or X (3) A controlled substance violation which has a maximun	n
penalty of 10 years or more; or	
(4) A felony after the defendant had been convicted of two	O
or more prior offenses described in (1) through (3)	
above, and the defendant has a prior conviction for one	
of the crimes mentioned in (1) through (3) above which is less than five years old and which was committed	
while the defendant was on pretrial release.	
X (b) That no condition or combination of conditions will reasonably	
assure the appearance of the defendant as required and the safety	
of the community because the Court finds that there is probable cause to believe:	
X (1) That the defendant has committed a controlled	
substance violation which has a maximum penalty of	
10 years or more.	_
X (2) That the defendant has committed an offense under 1	
U.S.C. § 924(c) (uses or carries a firearm during and in	

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relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: November 28, 2007. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge